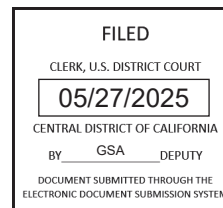


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*In Propria Persona*



UNITED STATES DISTRICT COURT FOR  
THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

**TODD R. G. HILL, et al,**

**Plaintiffs**

**vs.**

**THE BOARD OF DIRECTORS,  
OFFICERS AND AGENTS AND  
INDIVIDUALS OF THE PEOPLES  
COLLEGE OF LAW, et al.,**

**Defendants.**

CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM

**The Hon. Josephine L. Staton**  
Courtroom 8A, 8th Floor

**Magistrate Judge Brianna Fuller Mircheff**  
Courtroom 780, 7th Floor

**NOTICE OF OBJECTION TO PREMATURE  
RULING ON PENDING RULE 12(b)(6)  
MOTIONS AND REQUEST FOR RULING  
ON PLAINTIFF'S TIMELY REQUEST TO  
AMEND UNDER FRCP 15(a)(2)**

**NO ORAL ARGUMENT REQUESTED**

**NOTICE OF OBJECTION TO PREMATURE RULING ON PENDING RULE 12(b)(6) MOTIONS AND  
REQUEST FOR RULING ON PLAINTIFF'S TIMELY REQUEST TO AMEND UNDER FRCP 15(a)(2)**

CASE 2:23-CV-01298-JLS-BFM

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**NOTICE OF OBJECTION TO PREMATURE RULING ON PENDING RULE 12(b)(6)  
MOTIONS AND REQUEST FOR RULING ON PLAINTIFF'S TIMELY REQUEST TO  
AMEND UNDER FRCP 15(a)(2)**

TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that Plaintiff Todd R.G. Hill hereby objects to any resolution of the currently pending Fed. R. Civ. P. 12(b)(6) motions based on the Fourth Amended Complaint ("4AC") without first acknowledging and ruling on Plaintiff's timely-submitted request to file the Corrected Proposed Fifth Amended Complaint ("5AC") in accordance with Fed. R. Civ. P. 15(a)(2) and the Court's May 22, 2025 Order (Dkt. 311).

This Notice of Objection is anticipatory and prophylactic in nature. As of the date of this filing, Plaintiff is not aware of any final ruling on the pending Rule 12(b)(6) motions. However, in light of recent procedural developments, including the Court's issuance of Docket 312 without acknowledgment of Plaintiff's timely amendment request and the absence of any docketing of Plaintiff's corrected Proposed Fifth Amended Complaint and associated filings, Plaintiff submits this objection to preserve the integrity of the record and prevent premature adjudication on a superseded pleading.

To ensure clarity in the record, Plaintiff also respectfully requests that the Court formally docket the EDSS-submitted Fifth Amended Complaint and associated filings.

Plaintiff respectfully submits the following grounds for this objection:

**I. PROCEDURAL COMPLIANCE**

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**NOTICE OF OBJECTION TO PREMATURE RULING ON PENDING RULE 12(b)(6) MOTIONS AND  
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Plaintiff submitted a corrected version of the proposed Fifth Amended Complaint on May 22, 2025, via the Court's Electronic Document Submission System (EDSS Tracking No. EDS-250522-002-0524), together with a signed declaration and a Notice of Errata and Substitution (EDSS Tracking No. EDS-250522-002-0525). On May 23, 2025, Plaintiff submitted a redline comparison between the operative Fourth Amended Complaint and the corrected Fifth Amended Complaint, pursuant to the Court's directive at Dkt. 311 (EDSS Tracking No. EDS-250523-002-0540), along with a formal Notice of Submission of Redline. A supplemental clarification confirming the correct redline reference was also submitted (EDSS Tracking No. EDS-250522-002-0533).

Plaintiff respectfully clarified that:

- a. The redline reflects the corrected version submitted on May 22, not the earlier working draft docketed at Dkt. 310;
- b. The correction was submitted promptly, with full notice to chambers and all counsel;
- c. The record at the time reflected timely notice provision and complete compliance with the Court's order.

For ease of reference, Plaintiff identifies the relevant EDSS filings and associated dates:

Date Submitted	Description	EDSS Tracking No.
May 22, 2025	Corrected Proposed Fifth Amended Complaint	EDS-250522-002-0524
May 22, 2025	Executed Declaration + Notice of Errata	EDS-250522-002-0525
May 23, 2025	Redline Comparison + Notice	EDS-250523-002-0540
May 23, 2025	Supplemental Clarification of Redline	EDS-250522-002-0533

**NOTICE OF OBJECTION TO PREMATURE RULING ON PENDING RULE 12(b)(6) MOTIONS AND REQUEST FOR RULING ON PLAINTIFF'S TIMELY REQUEST TO AMEND UNDER FRCP 15(a)(2)**

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4 **II. PENDING AMENDMENT CONTROLS ADJUDICATION**

5 Under controlling Ninth Circuit precedent, a pending motion for leave to amend renders  
6 premature any ruling on motions to dismiss the superseded pleading. See *Ramirez v. County of San*  
7 *Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015).  
8

9 Plaintiff respectfully preserves all rights under:

- 10  
11 a. Fed. R. Civ. P. 59(e), allowing parties to alter or amend the judgment on grounds of manifest  
12 error of law, procedural irregularity, and newly clarified filings;  
13  
14 b. Fed. R. Civ. P. 60(b), applicable should it become necessary to seek relief from judgment  
15 based on inadvertence, excusable neglect, or any other reason justifying reconsideration.  
16

17 **III. JUDICIAL ECONOMY AND PREJUDICE**

18 The 5AC narrows the scope of the operative pleading, omits previously dismissed parties, and  
19 addresses deficiencies raised in the 12(b)(6) briefing. Ruling on the 4AC without evaluating or  
20 acknowledging the 5AC risks inconsistent rulings, unnecessary appeal, and procedural prejudice.  
21

22 Should the Court issue a ruling on the proposed Fifth Amended Complaint without formally  
23 docketing or addressing the corrected version submitted on May 22, 2025, or the redline submitted on  
24 May 23, 2025, Plaintiff respectfully submits that such a ruling would materially mischaracterize the  
25 procedural record and constitute prejudicial error for purposes of post-judgment relief and appeal.  
26

27 For Accordingly, Plaintiff respectfully requests that the Court:  
28

- (1) Acknowledge the timely-submitted 5AC and associated filings, and

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**NOTICE OF OBJECTION TO PREMATURE RULING ON PENDING RULE 12(b)(6) MOTIONS AND  
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(2) Rule on Plaintiff's request to amend under FRCP 15(a)(2) before adjudicating the pending Rule 12(b)(6) motions.

#### **IV. CONCLUSION**

This notice and objection is submitted to protect the integrity of the record, clarify the basis for forthcoming rulings, and preserve all rights under applicable rules of procedure. Plaintiff submits this notice in continued good faith, not to challenge the Court's authority, but to preserve the integrity of the record, ensure compliance with the Federal Rules of Civil Procedure, and assist the Court in rendering a fully informed and procedurally sound ruling.

Plaintiff requests that the Court formally docket the earlier discussed EDSS-submitted Fifth Amended Complaint and associated filings.

Respectfully submitted,

Dated: May 27, 2025



**Todd R. G. Hill**  
**Plaintiff, In Propria Persona**

#### **STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1**

The undersigned party certifies that this brief contains 767 words, which complies with the 7,000-word limit of L.R. 11-6.1.

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REQUEST FOR RULING ON PLAINTIFF'S TIMELY REQUEST TO AMEND UNDER FRCP 15(a)(2)**

CASE 2:23-CV-01298-JLS-BFM

1 Respectfully submitted,

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4  
5 May 27, 2025

6 Todd R.G. Hill

7 Plaintiff, in Propria Persona

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9  
10 **Plaintiff's Proof of Service**

11 This section confirms that all necessary documents will be properly served pursuant to L.R. 5-  
12 3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a  
13 document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the  
14 CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court  
15 and (2) all pro se parties who have been granted leave to file documents electronically in the case  
16 pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service  
17 through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P.  
18 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal  
19 Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.  
20  
21  
22  
23  
24  
25

26 Respectfully submitted,

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**NOTICE OF OBJECTION TO PREMATURE RULING ON PENDING RULE 12(b)(6) MOTIONS AND  
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CASE 2:23-CV-01298-JLS-BFM

1 May 27, 2025  
2 Todd R.G. Hill  
3 Plaintiff, in Propria Persona  
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